

APR 4 2003

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON

U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

HOA CAO; SENGKEO CHEMDASAK;
PHUONG DOAN; THOAI HANG;
KHAMSOUK INTHAVOUNG; KIM
HOEUN KONG; PHUONG LE; QUANG
VINH LE; SI DUNG LE; SOCHETRA
LUC; MOC VAN NGUYEN; TOAN
NGUYEN; SIA PHU; KHANG QUACH;
THON SANG; ABROAD SANY;
VONEKHAM THONGPRACHANH; DUC
VAN TRAN; KHANH TRUONG; SOMSY
ALE VILAYSANE; DONG VAN VO;
LUAN QUAN VU; MOUA YANG,

Petitioners-Appellants,

v.

UNITED STATES IMMIGRATION AND
NATURALIZATION SERVICE; ADELE J.
FASANO, Dist. Director,

Respondents-Appellees.

No. 02-55787

D.C. No. CV-00-01991-JAH

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
M. James Lorenz, District Judge, Presiding

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as may be provided by Ninth Circuit Rule 36-3.

Argued and Submitted March 4, 2003
Pasadena, California

Before: LAY,** HAWKINS, and TALLMAN, Circuit Judges.

This case asks us to review the authority of INS to require monetary bonds as a condition of the release of non-removable aliens. This court recently held that INS has the authority to require such a bond under 8 U.S.C. § 1231(a)(3) and 8 C.F.R. § 241.5. Doan v. INS, 311 F.3d 1160, 1162 (9th Cir. 2002). We find Doan dispositive. As such, the district court did not err in refusing to order the return of the bonds.

The judgment of the district court is hereby AFFIRMED. We also deny the Petitioners' request for further briefing on the application of Doan.

** The Honorable Donald P. Lay, Senior United States Circuit Judge for the Eighth Circuit, sitting by designation.